



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues prior to submission of the combined fifth and sixth periodic reports of Croatia\*

1. The State party is requested to submit in writing the information requested below (21,200 words maximum), if possible before 30 June 2019. The replies should take into consideration the Committee's recommendations, contained in its previous concluding observations (CRC/C/HRV/CO/3-4) adopted on 19 September 2014. The Committee may take up all aspects of children's rights set out in the Convention and its Optional Protocols during the dialogue with the State party.

#### I. New developments

2. The Committee requests the State party to provide:

(a) Information on the adoption or reform of laws, policies and programmes, and any other type of measures taken, such as the creation or reform of institutions, significant for the implementation of the Convention and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography;

(b) Any other information that the State party considers relevant in this regard and that is not covered in the replies to the questions below, including information on obstacles and challenges faced.

#### II. Rights under the Convention and its Optional Protocols

##### A. General measures of implementation (arts. 4, 42 and 44 (6))

###### Comprehensive policy and strategy

3. Please provide information on the measures taken to implement the National Strategy for the Rights of Children 2014–2020 and the National Strategy for Roma Inclusion 2013–2020, and to monitor, report on and evaluate the impact of those strategies on children's lives. Please also provide information on the financial resources available at the local level for the implementation of the National Strategy for the Rights of Children, especially in rural areas and on the islands.

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\* Adopted by the pre-sessional working group on 8 June 2018.



### **Coordination**

4. Please explain the roles and responsibilities of the Ministry for Demography, Family, Youth and Social Policy and the Council for Children, and the level of coordination between them.
5. Please explain whether the Council for Children is effective and whether its members have been formally appointed, and provide information on its plan of work and financial resources.

### **Resource allocation**

6. Please provide detailed and updated information on the impact of the financial and economic crisis on children's rights, and on the measures taken to safeguard adequate resources for the implementation of the Convention and to ensure the well-being of children.

### **Data collection**

7. Please provide information on any steps taken to establish a disaggregated data collection system for persons under 18, including for Roma children, children with disabilities and children in situations of migration.

### **Independent monitoring**

8. Please provide information on:
  - (a) The human, technical and financial resources allocated to the Office of the Ombudsperson for Children to support its activities;
  - (b) Whether the Office of the Ombudsperson for Children receives complaints on behalf of children and, if so, please explain how many, and the nature and outcome of those complaints;
  - (c) The measures taken to follow up on the recommendations made in the annual reports produced by the Office of the Ombudsman for Children;
  - (d) How the State party guarantees the independence of the Office of the Ombudsperson for Children, given that the rejection of its annual report by the parliament may result in the early impeachment of the Ombudsperson for Children.

### **Dissemination, awareness-raising and training**

9. Please provide information on awareness-raising programmes, including campaigns, among children in marginalized situations, especially Roma children. Please also provide information on systematic training programmes offered to relevant professional groups on the provisions of the Convention, its Optional Protocols and the Committee's 2014 concluding observations.

## **B. Definition of the child (art. 1)**

10. Please explain what protection is afforded to children who acquire the legal status of an adult before the age of 18 through marriage or through becoming a parent, and what measures have been taken to ensure that the minimum age for marriage is 18 years old, without exceptions.

## **C. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

11. Please inform the Committee about the measures taken to prohibit and eradicate all forms of de jure and de facto discrimination and hate speech against children of ethnic minorities, including Serbian and Roma children, and children of religious minorities, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, and

migrant, asylum-seeking and refugee children, with particular regard to their access to education and health-care services.

#### **Best interests of the child**

12. Please inform the Committee about the measures taken to ensure that the best interests of the child are a primary consideration when drafting, adopting and reviewing legislation concerning children. Please provide information on the policies, procedures, criteria and guidance issued to determine and consistently apply the best interests of the child as a primary consideration in programmes and administrative and judicial proceedings concerning children, in particular children in situations of migration or in custody disputes, children with disabilities who are placed in institutions, children without adequate parental care, and unaccompanied migrant and refugee children.

#### **Right to life, survival and development**

13. Please inform the Committee about the measures taken to reduce traffic accidents, particularly issuing fines for not using seatbelts, helmets, or car seats for babies or children, and how those measures are enforced. Please also inform the Committee about any road infrastructure in place to ensure children's safety and any road safety training programmes for children and adults.

#### **Respect for the views of the child**

14. Please provide information on any systems or procedures in place to ensure the right of the child to be heard in any decision affecting her or him. Please explain whether all the relevant professionals are provided with training on the right of the child to be heard. Please also explain what opportunities children have to express their opinion in matters affecting them and whether they are given support to encourage their meaningful participation. Please provide information on the activities of the network of young advisers of the Ombudsman for Children and of the children's and students' councils, and any steps taken to strengthen and promote their roles.

### **D. Civil rights and freedoms (arts. 7, 8 and 13–17)**

#### **Nationality**

15. Please provide information on the measures taken to ensure that the Act on Croatian Citizenship is in line with the Convention and implemented in a non-discriminatory manner. Please explain whether any steps have been taken to reduce administrative obstacles related to the acquisition of Croatian citizenship, affecting particularly Roma children.

#### **Access to appropriate information**

16. Please explain why the budget for child-focused television production was reduced by 44 per cent in 2016 and how the State party ensures that quality television programmes are produced for children, including for children belonging to minority groups and children with visual and hearing impairments. Please also explain what measures are in place to protect the privacy of children in the media, including social media, and to protect them from exploitation in electoral campaigns.

### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

#### **Corporal punishment**

17. Please provide information on the efforts made, including awareness-raising and parenting education programmes, to end the practice of corporal punishment in all settings, particularly in the family, and to promote positive, non-violent and participatory forms of child-rearing and discipline.

**Violence, abuse and neglect**

18. Please explain how the national strategy for protection against family violence has been replaced, whether there is a database for cases of domestic violence against children, and whether there are any preventive programmes or activities, or reporting and monitoring mechanisms, to end all forms of violence against children, including abuse, neglect and sexual exploitation, particularly in the family and in schools. Please also explain whether there is a free 24-hour helpline for children and provide information on any support systems in place for child victims of violence, sexual exploitation and abuse.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))****Family environment**

19. Please provide information on the measures taken and time frame adopted for the establishment of family courts. Please inform the Committee about the measures taken to improve the efficiency of child maintenance regulations and judicial proceedings. Please also provide information on any steps taken to strengthen and expand the community- and family-based services for children and families at risk, including support services for parents. Please explain whether courts consider the best interests of the child when sentencing caregivers.

**Children deprived of a family environment**

20. Please provide information on the implementation of the plan for deinstitutionalization and the transformation of social welfare institutions 2011–2018, in particular on the transformation of institutions into centres to serve the community and the funding available for the process. Please inform the Committee about the measures taken to strengthen the foster care system and about the mechanisms in place to monitor the quality of care in institutions and in foster homes.

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)****Children with disabilities**

21. Please provide information on the measures taken to support families with children with disabilities in order to prevent those children from being abandoned or institutionalized, and indicate the progress made towards deinstitutionalization. Please explain the steps taken to adopt a human rights model of disability and to introduce a cross-sectoral system for early identification and intervention for all children with disabilities, including intellectual or psychosocial disabilities. Please also explain any measures taken to ensure inclusive education for children with disabilities, including early childhood education.

**Health care and health services**

22. Please inform the Committee about the steps taken to:

(a) Address the lack of available paediatric health-care teams, particularly in rural regions;

(b) Ensure full vaccination coverage across the State party to avoid outbreaks of communicable diseases, especially through education campaigns for parents and children;

(c) Promote exclusive breastfeeding and ensure child-friendly practices in all hospitals;

(d) Ensure equal access to all health services, including for children belonging to minority groups, children with disabilities and migrant children.

**Adolescent health**

23. Please inform the Committee about the measures taken to prevent and address:
- (a) Mental health issues among adolescents;
  - (b) The use of drugs and alcohol;
  - (c) Child suicide;
  - (d) Barriers to access to and support for sexual and reproductive health education and services for adolescents.

**Standard of living**

24. Please provide updated information on the measures taken to address child poverty, particularly on funding for all child-related social protection programmes and activities.

**H. Education, leisure and cultural activities (arts. 28–31)****Education, including vocational training and guidance**

25. Please inform the Committee about the steps taken to:
- (a) Improve the availability of affordable early childcare and education and other community-based services;
  - (b) Improve the quality of education, particularly in science, mathematics and literacy;
  - (c) Introduce compulsory human rights education into all school curricula;
  - (d) Discourage children from dropping out of school;
  - (e) End segregation in schools and reduce the high proportion of Roma children in special schools.

**Rest, leisure, recreation and cultural and artistic activities**

26. Please provide information on the measures taken to provide children, particularly children with disabilities and children in disadvantaged situations, with full access, free of charge, to inclusive sporting, recreational, leisure and artistic activities.

**I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)****Asylum-seeking and refugee children and children in situations of migration**

27. Please provide information on:
- (a) The regulations and criteria concerning the deportation of asylum-seeking and migrant children under age of 18, and whether the amendments made in 2017 to the Act on Foreigners introduced any changes affecting children;
  - (b) How the principle of non-refoulement is applied in all cases of migrant children, including migrant children in irregular situations, and how the State party ensures their access to free legal aid, appropriate guardians and other forms of assistance in all stages of the process;
  - (c) The measures taken, including plans to amend the Act on International and Temporary Protection and the Act on Foreigners, to ensure that asylum-seeking, unaccompanied and migrant children are not administratively detained under any circumstance.
28. Please provide information on:

(a) Whether the protocol for unaccompanied children has been adopted, whether there is a system in place for the reception of unaccompanied children and children separated from their parents, including migrant children in irregular situations, and whether the State party has taken steps to ensure that those children have access to appropriate and adequate services, in particular psychological, social, health and educational services;

(b) The steps taken to investigate alleged cases of violence against and abuse of migrant and asylum-seeking children;

(c) The steps taken to remove migrant and asylum-seeking children from residential institutions for children with behavioural issues and whether there are any family-based types of care available.

#### **Sale, trafficking and abduction**

29. Please provide detailed and updated information on the strategies, programmes and legislation in place to identify child victims of trafficking, including children in situations of migration, and on the measures taken to provide those children with adequate protection and support in their rehabilitation and reintegration.

#### **Administration of juvenile justice**

30. Please inform the Committee about:

(a) The measures taken to introduce diversion as a pretrial alternative to detention, to reduce the use of pretrial detention and limit its duration to the shortest time possible, and to establish special correctional institutions for juveniles as stipulated in the Act on Juvenile Courts;

(b) The effectiveness of non-custodial measures and the funds and institutions available for their implementation, and the rate of reoffending;

(c) The training provided to professionals involved in the administration of juvenile justice.

#### **Child victims and witnesses**

31. Please provide information on the psychological, social, educational and health services available to child victims and witnesses.

### **J. Optional Protocol on the sale of children, child prostitution and child pornography**

32. Please explain the reasons for the delay in submission of the report under the Optional Protocol on the sale of children, child prostitution and child pornography.

### **K. Optional Protocol on the involvement of children in armed conflict**

33. Please provide information on the follow-up to the Committee's recommendations under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/HRV/CO/1), in particular on:

(a) Any legislation in place to restrict the transfer of arms and the provision of other forms of military assistance to States that recruit or use children in hostilities;

(b) Any measures in place to prevent the recruitment of children by non-State armed groups;

(c) Any criminal offences under anti-terrorism legislation that may be applicable to children;

(d) Any schools controlled by the Ministry of Defence, the regulations applied to those schools and their minimum age for entry;

(e) Any age-appropriate reintegration and rehabilitation services available to children formerly associated with terrorist or violent extremist groups.

### **III. Statistical information and data**

34. Statistical information and disaggregated data provided by the State party should cover the period since the consideration of its previous report. The data should be disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status.

35. The provision of tables presenting trends over the reporting period is recommended and explanations or comments on significant changes that have taken place over the reporting period should also be provided.

#### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

36. Please provide information on the budget lines regarding children and social sectors by indicating the amount and the proportion of each budget line in terms of the total national budget.

#### **B. Definition of the child (art. 1)**

37. Please provide data, disaggregated as described in paragraph 34 above, on the number and proportion of children under 18 years of age living in the State party.

#### **C. General principles (arts. 2, 3, 6 and 12)**

38. Please provide data, disaggregated as described in paragraph 34 above, on the number of children who have attempted or committed suicide.

#### **D. Civil rights and freedoms (arts. 7, 8 and 13–17)**

39. Please provide data, disaggregated as described in paragraph 34 above, on:

- (a) The number of children who do not have their births registered immediately, especially Roma children;
- (b) The number of children who were registered at birth, but have not been issued with a birth certificate;
- (c) The number of stateless children.

#### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

40. Please provide data, disaggregated as described in paragraph 34 above, on:

- (a) The number of child victims of ill-treatment, violence, including domestic violence, and sexual abuse, and the number of complaints, investigations, prosecutions and convictions in that regard;
- (b) The number of cases of neglect and abuse, especially in institutions and alternative care settings;
- (c) The number of cases of corporal punishment, especially in schools, institutions and alternative care settings;
- (d) The number of shelters that provide services to child victims of violence.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

41. Please provide data, disaggregated as described in paragraph 34 above, on:
- (a) The number of children separated from or abandoned by their parents;
  - (b) The number of children placed in institutions and foster homes, including children with disabilities, and the number of children who have been deinstitutionalized;
  - (c) The number of children who have been adopted;
  - (d) The number of children placed in institutions for children with behavioural issues;
  - (e) The number of children whose mothers have been incarcerated.

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)**

42. Please provide data, disaggregated as described in paragraph 34 above, on:
- (a) Infant mortality and the mortality rate for children under 5;
  - (b) Vaccination coverage per region;
  - (c) The number of adolescent girls who are pregnant and the number of girls receiving medical and professional services for pregnancy and childbirth;
  - (d) The number of adolescent girls who have had abortions;
  - (e) The number of cases of sexually transmitted infections, including HIV, among children and adolescents;
  - (f) The number of children who abuse drugs and alcohol.
43. Please provide data, disaggregated as described in paragraph 34 above, on:
- (a) The number of children living in poverty and extreme poverty, including Roma children;
  - (b) The number of children who have benefited from the State's welfare system.

**H. Education, leisure and cultural activities (arts. 28–31)**

44. Please provide data, disaggregated as described in paragraph 34 above, on:
- (a) The percentage of children, including Roma children and children with disabilities, who have enrolled in or completed pre-primary school, primary school and secondary school;
  - (b) The number of children attending special schools, including Roma children;
  - (c) The number and proportion of children who have access to early childhood education;
  - (d) The number and proportion of dropouts and repetitions of school years, including for Roma children and children with disabilities;
  - (e) The number of children out of school, including Roma and children with disabilities;
  - (f) The teacher-pupil ratio, disaggregated by region;
  - (g) The number of cases of bullying in schools.



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**I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)**

45. Please provide data, disaggregated as described in paragraph 34 above, on:

(a) The number of refugee and asylum-seeking children, children who are unaccompanied or separated from their parents, and children in situations of migration;

(b) The number of children in situations of migration, including irregular migrant children, in pre-detention and detention facilities, including juvenile and adult detention centres, police custody and residential institutions for children with behavioural issues;

(c) The number of children in situations of migration, including irregular migrant children, who have been deported;

(d) The number of facilities available for the initial reception of unaccompanied children and children separated from their parents.

46. Please provide data, disaggregated as described in paragraph 34 above, and by the type of trafficking, on the number of child victims of trafficking, including in the context of migration.

47. Please provide data, disaggregated as described in paragraph 34 above, and by the type of offence, on:

(a) The number of children, including migrant children and children detained for petty crimes, in pre-detention and detention facilities and penitentiary institutions;

(b) The average time spent by children in pre-detention and detention, including for cases of illegal migration.